

REMARKS:

The Office Action dated November 19, 2004, has been carefully considered. In response thereto, the present paper is submitted. In view of this paper and, in particular, the arguments presented below, it is believed that the application is in condition for allowance. Accordingly, reconsideration and withdrawal of the outstanding rejections and issuance a Notice of Allowance is respectfully requested.

Summary of the Office Action

Claims 1-11, 13-19, 22-24, 26, 27, 29, and 30 are pending in the application. Claims 1, 22, and 26 are the only independent claims.

In the Office Action, the Examiner has rejected claims 1-11, 15-19, 22-24, 26, 27, 29, and 30 pursuant to 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,513,395 to *Jones* in view of U.S. Patent No. 6,781,269 to *Shimada*, and has rejected claims 13 and 14 as being unpatentable over the *Jones* patent in view of the *Shimada* patent as applied to claim 1 and further in view of U.S. Patent No. 4,379,598 to *Goldowsky*. The following remarks are believed to address each of those rejections.

The *Shimada* Patent is Not Prior Art:

The *Shimada* patent, which issued August 2004 and has a PCT filing date of September 30, 1999, and a U.S. filing date of April 1, 2002, is not prior art with respect to the present application. Under 35 U.S.C. § 102(e)(2), the effective date of a U.S. patent as a reference where the PCT international application was filed before November 29, 2000, is its U.S. filing date (under 35 U.S.C. § 371(c)(1), (2) and (4)). Thus, the effective filing date of the *Shimada* patent as a prior art reference is April 1, 2002. Applicant's date of invention is effectively December 8, 1999, which is the date he filed his priority Great Britain patent application. Thus, Applicant's date of invention is before the effective date of the *Shimada* patent.

Accordingly, it is respectfully submitted that the Examiner has not established a *prima facie* case of obviousness based on the *Jones*, *Shimada*, and *Goldowsky* patents.

Appl. Ser. No. 10/049,322
Atty. Ref. No. 119508-00140

Reconsideration and withdrawal of the § 103(a) rejection of the claims is respectfully requested.